

RECEIVED
CENTRAL FAX CENTER

NOV 0 5 2004

3200 IDS Center 80 South Eighth Street Minneapolis, Minnesota 55402-2215 USA Tel (612) 332-5300 Fax (612) 332-9081

www.merchant-gould.com

A Professional Corporation

Fax Transmission

November 5, 2004

TO:

Commissioner for

Patents

Attn: Examiner K. LE Patent Examining Corps

Facsimile Center

Washington, D.C. 20231

FROM:

Douglas P. Mueller

OUR REF:

10873.850US01

TELEPHONE:

ELECTION OF SPECIES

REQUIREMENT

(612) 332-5300

Total pages, including cover letter:

PTO FAX NUMBER 1 703 872 9306

If you do NOT receive all of the pages, please telephone us at (612) 332-5300, or fax us at (612) 332-9081.

Title of Document Transmitted:

Applicant:

KOMMA

Serial No.:

10/010721

Filed:

11/13/2001

Group Art Unit:

2653

Our Ref. No.:

10873.850US01

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Name: Douglas P. Mueller

Reg. No.: 30,300

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Lisa Dorn

Signature

Date

GEN033.DOC

RECEIVED CENTRAL FAX CENTER

S/N 10/010721

NOV 0 5 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

KOMMA

Examiner:

K. LE

Serial No .:

10/010721

Group Art Unit:

2653

Filed:

November 13, 2001

Docket No.:

10873.850US01

Title:

DIFFRACTION GRATING BODY, OPTICAL PICK-UP,

SEMICONDUCTOR LASER APPARATUS AND OPTICAL

INFORMATION APPARATUS

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on November 5, 2004.

Name: Lisa Dorr

ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Commissioner:

In response to the election of species requirement dated October 5, 2004, Applicants elect species A, Fig. 4, for initial examination. Claims 1-5 and 7-16 read on the elected species. Generic claims are pending. The election is made without traverse. Applicant notes that claim 16, which tracks claim 11 but depends on claim 7, inadvertently was numbered as "11" in the Preliminary Amendment filed with this application. As the election of species requirement recognized the pendency of claims 1-16, Applicant assumes that the Examiner noted this point. An early and favorable action on the merits is requested.

Respectfully Submitted,

MERCHANT & GOULD P.C.

P.O. Box 2903

Minneapolis, MN 55402-0903

(612) 332-5300

Dated: November 5, 2004

Douglas P. Mueller Reg. No. 30,300

DMueller:lad